26-ZONING-0056

Planning Commission
Staff Report
July 16, 2026

Ford Expansion

Location:	3306 & 3308 Collins Lane; 3009 & 3011 N Winchester Acres Road; 2719 & 2721 Chamberlain Lane
Applicant:	Sam Kandah, Ford Motor Company
Representative:	Dinsmore & Shohl LLP
Jurisdiction:	Louisville Metro
Council District:	17 – Markus Winkler
Case Manager:	Zack Jones, Planner II

REQUESTS & RECOMMENDED ACTIONS

1. Change in Zoning from R-4 Single Family Residential, O-R Office/Residential, & PEC Planned Employment Center to M-2 Industrial
   - Staff finds the request is in keeping with Plan 2040 and recommends the Planning Commission **RECOMMEND** that the Louisville Metro Council **APPROVE** the requested change in zoning.

2. **26-VARIANCE-0059:** Variance from Land Development Code Section 5.3.4.D.4 to allow the proposed building to exceed the maximum building height of 50 feet (Proposed Height of 80 feet, for a Variance of 30 feet)
   - Staff finds the justification for the requests are adequate and recommends the Planning Commission **APPROVE** the Variance

3. **26-WAIVER-0059:** Waiver from Land Development Code Section 4.4.3.A.4 to allow the proposed 6 foot tall perimeter fencing to have either barbed wire or razor wire.
   - Staff finds the justification for the requests are adequate and recommends the Planning Commission **APPROVE** the Waiver

4. **26-WAIVER-0060:** Waiver from Land Development Code Section 10.2.12 to waive 50% of the required vehicle use area interior landscape area square footage.
   - Staff finds the justification for the requests are adequate and recommends the Planning Commission **APPROVE** the Waiver

5. **26-WAIVER-0061:** Waiver from Land Development Code Section 5.5.2.A.1 & 5.6.1.B. to waive the required non-residential building location and orientation and building façade treatment requirements for buildings within the suburban form.

- Staff finds the justification for the requests are adequate and recommends the Planning Commission **APPROVE** the Waiver

6. Revised Detailed District Development Plan with Binding Elements
   - Staff finds the justification for the request is adequate and recommends the Planning Commission **APPROVE** the Revised Detailed District Development Plan on condition that all technical considerations with MSD and Public Works are resolved prior to final plan approval.

CASE SUMMARY

The subject properties are located off Chamberlain Lane, a primary collector, and Collins Lane, a secondary collector. The properties are presently zoned R-4 Single Family, O-R Office/Residential, and PEC Planned Employment Center and located in the Suburban Workplace form district. The proposal is for the development of 6 properties on roughly 71 acres. The area north and west is predominantly PEC zoning, the area directly east is OR-1 & OR-3, and the area to the south is a mix of R-4, PEC, and C-M zoning, with some other commercial zones in the area. If this proposal were to be approved as proposed, it would be predominantly PEC, C-M and other commercially zoned land in the immediate vicinity. The Gene Snyder Freeway lies just south of this property across Chamberlain Lane. The proposal is for a roughly 1.6 million square foot industrial facility in conjunction with the existing facility west of the site.

The applicant has proposed to rezone the subject properties to M-2 Industrial. All previously existing structures on the larger site currently zoned PEC have already been demolished as part of the prior zoning approval applicable to the site (23-ZONE-0098). The property at 2719 Chamberlain Lane is presently Plan Certain under #09-006-04. The remainder of the subject properties are not Plan Certain.

TECHNICAL REVIEW

- Comprehensive Plan 2040
- Land Development Code (Louisville Metro 2025)
- MSD has not provided preliminary approval, but is currently working on final design approvals related to downstream sanitary capacity
- Transportation Planning has provided preliminary approval, conditional on final analysis and implementation of TIS recommendations and street closure of Mermaid Lane.

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

Criteria for granting the proposed form district change/rezoning: *KRS Chapter 100.213*

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Plan 2040; **OR**
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; **OR**

3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR CHANGE IN ZONING / FORM DISTRICT

The following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Plan 2040.

The site is located in the Suburban Workplace Form District

A Suburban Workplace is a form characterized by predominately industrial and office uses where the buildings are set back from the street in a landscaped setting. Suburban Workplaces often contain a single large-scale use or a cluster of uses within a master planned development. New larger proposed industrial uses are encouraged to apply for a planned development district.

In order to provide adequate transportation access in suburban workplaces connected roads, public transportation and pedestrian facilities should be encouraged. Walkways to workplace serving uses are encouraged for workplace employees. Development within Suburban Workplace Form Districts may need significant buffering from abutting uses.

STAFF FINDING: The proposal does not represent an expansion of non-residential uses into residential areas but would rather eliminate some of the last remaining residential areas within the Suburban Workplace form in this area. The subject site is surrounded by PEC and other non-residential zoning districts within the Suburban Workplace form district. The proposal is in an established commercial and industrial activity area adjacent to a variety of commercial, office and industrial uses readily served by infrastructure and transportation facilities. All required buffers are being provided adjacent to remaining residential sites adjacent to the development area.

The proposed zoning would not permit residential development and would demolish the existing homes on the subject site, though the majority of the site is presently vacant. Historic preservation staff has not indicated any concerns related to demolition of any possible remaining structures on site.

The subject properties are located off Chamberlain Lane, a primary collector, and Collins Lane, a secondary collector. It is approximately 950 feet from La Grange Road, a minor arterial roadway, and is approximately 1500 feet from the Gene Snyder Freeway at La Grange Road.

All other agency comments should be addressed to demonstrate compliance with the remaining Guidelines and Policies of Plan 2040.

The Louisville Metro Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. The Louisville Metro Council has zoning authority over the property in question.

STANDARD FOR REVIEW AND STAFF ANALYSIS FOR 26-VARIANCE-0059

1. *The requested variance will not adversely affect public health, safety, or welfare, and will not cause a hazard or nuisance to the public.*

   STAFF FINDING: The requested variance will not adversely affect the public health, safety, or welfare, because the request to exceed the allowable maximum height does not cause adverse or unsafe impact to the public. Additionally, the structure will be required to comply with all applicable building code regulations.

2. *The requested variance will not alter the essential character of the general vicinity and will not allow an unreasonable circumvention of the requirements of the zoning regulations.*

   STAFF FINDING: The requested variance will not alter the essential character of the general vicinity as the request is in general conformance to the character of existing structures in the general area.

3. *The requested variance arises from circumstances which do not generally apply to land in the general vicinity, or in the same zone.*

   STAFF FINDING: The requested variance does not arise from circumstances which do not generally apply to land in the general vicinity, or in the same zone as the subject property is similar in size and width to most of the properties on in the general vicinity along Collins Lane or Chamberlain Lane.

4. *The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.*

   STAFF FINDING: The strict application of the provision of the regulation would deprive the applicant of the reasonable use of the land as the use is maxing out the available land on the site and is bound by Chamberlain Lane and Collins Lane, and therefore vertical expansion is the only practical expansion available to the site.

5. The circumstances are the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

   STAFF FINDING: The circumstances are not the result of action of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought as no action has been taken by the applicant prior to approval of this development plan.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR 26-WAIVER-0059

(a) The waiver will not adversely affect adjacent property owners; and

STAFF FINDING: The requested waiver for fence material will not adversely affect adjacent property owners as the majority of the area is comprised of the same ownership. Further, the request is intended to provide safety mutually for the benefit of the public and property owners.

(b) The waiver will not violate specific guidelines of Plan 2040;

STAFF FINDING: Community Form Goal 1, Policy 4 calls for the proposal to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects. Economic Development Goal 1, Policy 2 calls for the proposal to encourage industries, to the extent possible, to locate in industrial subdivisions or adjacent to an existing industry to take advantage of special infrastructure needs. The proposed plan for the razor or barbed wire for the proposed 6 foot tall fence is in conformance with these standards as it will not be incompatible with the character of the existing area and will support the expansion of the industrial uses in an existing industrial area.

(c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant

STAFF FINDING: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the proposed 6 foot fence height is an otherwise typical fence height and the materials requested are typical to provide safety features for this site or comparable sites.

(d) Either: (i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR (ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF FINDING: The applicant has incorporated other design measures that compensate for non-compliance with the requirements to be waived as they are providing substantial buffering of the site, proposing a dense yet compatible industrial footprint, in addition to providing substantial economic benefit as part of this proposal.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR 26-WAIVER-0060

(a) The waiver will not adversely affect adjacent property owners; and

STAFF FINDING: The requested waiver for reduced interior landscape island will not adversely affect adjacent property owners as the majority of the area is comprised of the same ownership, and the orientation of the site still provides substantial buffering to the adjacent properties.

(b) The waiver will not violate specific guidelines of Plan 2040;

STAFF FINDING: Community Form Goal 1, Policy 4 calls for the proposal to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects. Economic Development Goal 1, Policy 2 calls for the proposal to encourage industries, to the extent possible, to locate in industrial subdivisions or adjacent to an existing industry to take advantage of special infrastructure needs. The proposed plan for the reduced interior landscape island is in conformance with these standards as it will not be incompatible with the character of the existing area and will support expansion of the industrial uses in an existing industrial area in a compact industrial footprint.

(c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant

STAFF FINDING: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the proposed the applicants are proposing 50% of the required interior landscape island plantings in order to provide some plantings while still otherwise maximizing use of the site.

(d) Either: (i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR (ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF FINDING: The applicant has incorporated other design measures that compensate for non-compliance with the requirements to be waived as they are providing substantial buffering of the site, proposing a dense yet compatible industrial footprint, in addition to providing substantial economic benefit as part of this proposal.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR 26-WAIVER-0061

non-residential building location and orientation and building façade treatment requirements

(a) The waiver will not adversely affect adjacent property owners; and

STAFF FINDING: The requested waiver for building location, orientation, and façade treatment will not adversely affect adjacent property owners as the majority of the area is comprised of the same or similar ownership. Further, the proposal is in general conformance with the other existing facilities in the general vicinity.

(b) The waiver will not violate specific guidelines of Plan 2040;

STAFF FINDING: Community Form Goal 1, Policy 4 calls for the proposal to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects. Economic Development Goal 1, Policy 2 calls for the proposal to encourage industries, to the extent possible, to locate in industrial subdivisions or adjacent to an existing industry to take advantage of special infrastructure needs. The proposed building design, location, and orientation is in conformance with these standards as it will not be incompatible with the character of the existing area, is in a form complementary to the adjacent facility to the west of this site under similar ownership, and will support the expansion of the industrial uses in an existing industrial area.

(c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant

STAFF FINDING: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as the proposed facility is an expansive industrial facility that is maximizing the site and providing great economic benefit to the community while requesting an achievable design.

(d) Either: (i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); OR (ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF FINDING: The applicant has incorporated other design measures that compensate for non-compliance with the requirements to be waived as they are providing substantial buffering of the site, proposing a dense yet compatible industrial footprint, complementary to the existing facility to the west and other uses in the area, in addition to providing substantial economic benefit as part of this proposal.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR REVISED DETAILED DISTRICT DEVELOPMENT PLAN AND AMENDMENT TO BINDING ELEMENTS

a. *The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;*

STAFF FINDING: There is a portion of the existing site that is within the local regulatory floodplain, though buildings are not proposed in that area. Compliance with MSD requirements will be required prior to development. There do not appear to be any other environmental constraints or historic resources on the subject site. Tree canopy requirements of the Land Development Code will not be provided on the subject site, but will be provided in a manner allowed by Land Development Code Section 10.1.3.c. in an off-site location.

b. *The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;*

STAFF FINDING: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Metro Public Works and the Kentucky Transportation Cabinet have not provided concerns the preliminary development plan. A turn lane on Collins Lane is a binding element as part of this request, and other improvements may be coordinated with Public Works and KYTC.

c. *The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;*

STAFF FINDING: Substantial open space as part of this proposal is not necessary and would hinder the effective use of the site. However, the proposal is providing the required amenity space for employees as required in Chapter of the Land Development Code, and the property will provide substantial trees and buffering to the adjacent properties.

d. *The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;*

STAFF FINDING: The Metropolitan Sewer District will be required to provide approval for the plan. While the proposal is generally served by municipal facilities to the site, coordination will be required with MSD to ensure those facilities are adequate and meet the minimum requirements to mitigate drainage issues or comparable issues on site.

e. *The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;*

STAFF FINDING: The overall site design and land uses are compatible with the existing and future development of the area, provided the Planning Commission finds the areas of proposed variance and waivers acceptable. Appropriate landscape buffering and screening will be provided to screen adjacent properties, including both residential and non-residential. The overall site design is generally compatible with the existing sites in the vicinity, including the complementary facility west of this site.

f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF FINDING: The development plan generally conforms to the applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code. The proposal is complementary to the existing facilities surrounding the area, provides substantial economic development benefit to the community, and propose a compact yet compatible industrial footprint on the site.

REQUIRED ACTIONS

- **RECOMMEND** that the Louisville Metro Council **APPROVE** or **DENY** the **Change in Zoning** from R-4 Single Family Residential, O-R Office/Residential, & PEC Planned Employment Center to M-2 Industrial
- **APPROVE** or **DENY 26-VARIANCE-0059** from Land Development Code Section 5.3.4.D.4 to allow the proposed building to exceed the maximum building height of 50 feet (Proposed Height of 80 feet, for a Variance of 30 feet)
- **APPROVE** or **DENY 26-WAIVER-0059** from Land Development Code Section 4.4.3.A.4 to allow the proposed 6 foot tall perimeter fencing to have either barbed wire or razor wire.
- **APPROVE** or **DENY 26-WAIVER-0060** from Land Development Code Section 10.2.12 to waive 50% of the required vehicle use area interior landscape area square footage.
- **APPROVE** or **DENY 26-WAIVER-0061** from Land Development Code Section 5.5.2.A.1 & 5.6.1.B. to waive the required non-residential building location and orientation and building façade treatment requirements for buildings within the suburban form.
- **APPROVE** or **DENY** the **Detailed District Development Plan** subject to proposed binding elements

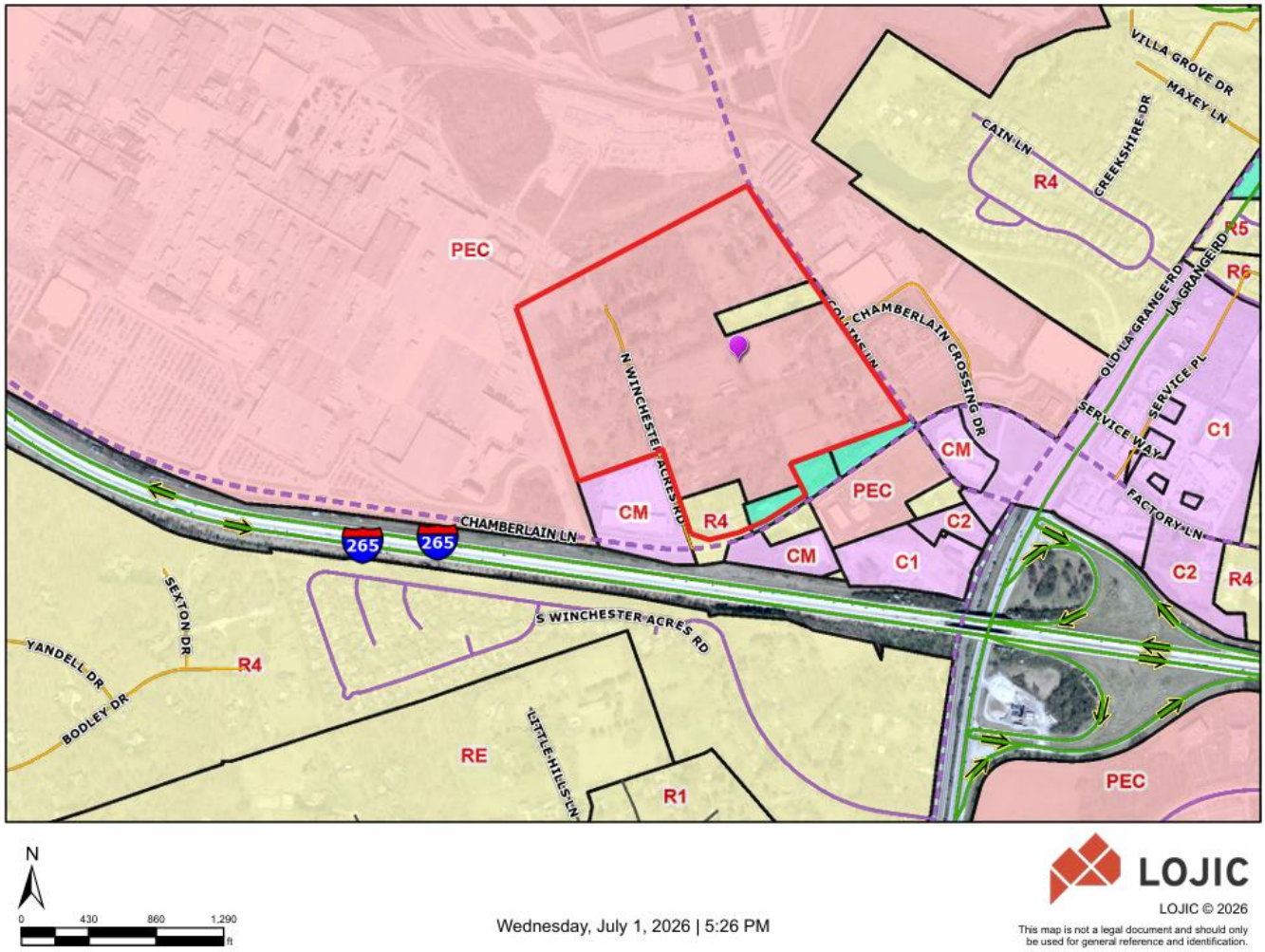
NOTIFICATION

DATE	PURPOSE OF NOTICE	RECIPIENTS
7/1/2026	Planning Commission Public Hearing	1st and 2nd tier adjoining property owners and current residents; Registered Neighborhood Groups in Council District 17
6/30/2026	Planning Commission Public Hearing	Sign Posting on Property
7/1/2026	Planning Commission Public Hearing	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Plan 2040 Checklist
4. Existing Binding Elements
5. Proposed Binding Elements

1. ZONING MAP



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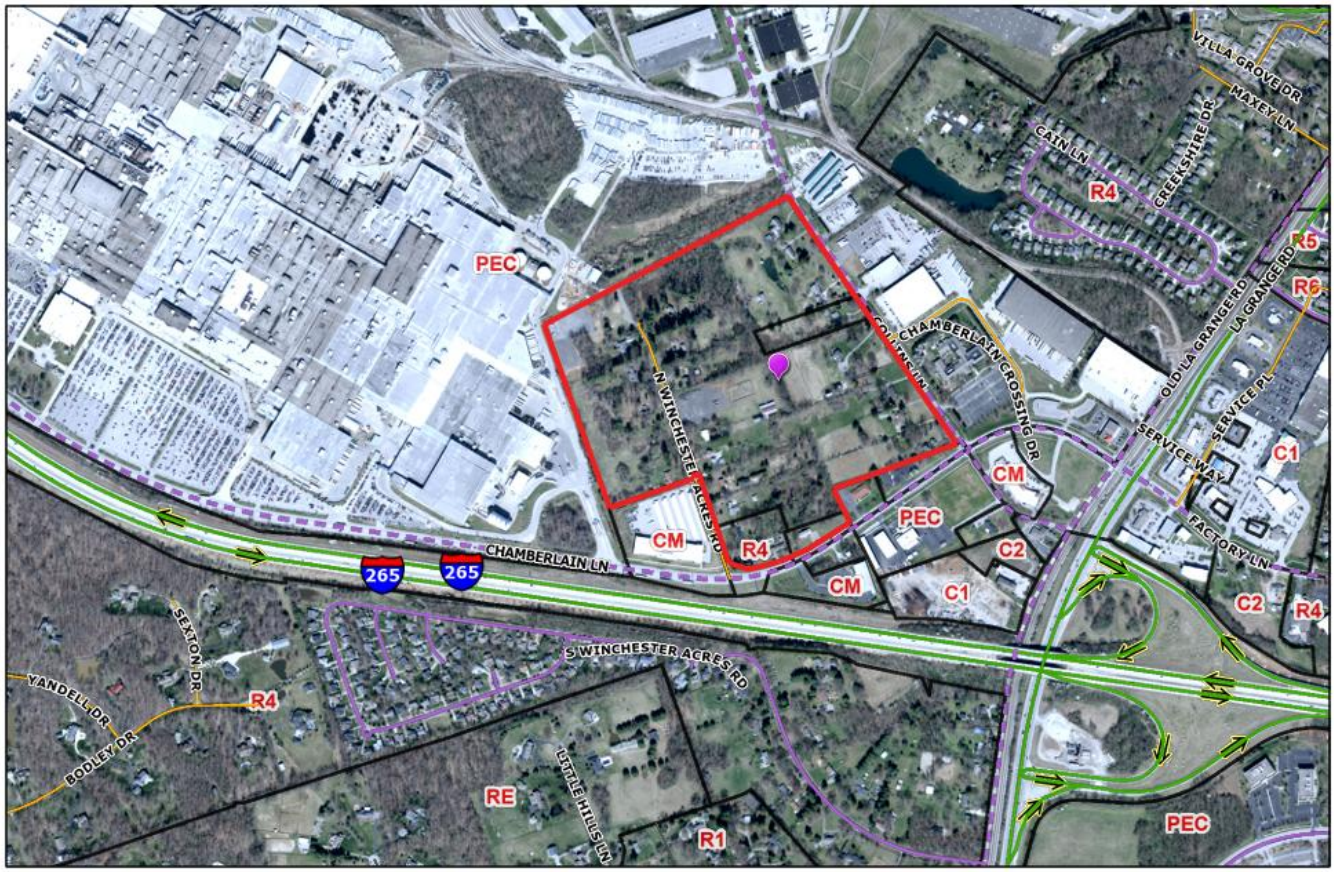
2. AERIAL MAP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3. STAFF PLAN 2040 CHECKLIST

+	Exceeds Guideline
✓	Meets Guideline
-	Does Not Meet Guideline
+/-	More Information Needed
NA	Not Applicable

Suburban Workplace: Non-Residential

Plan 2040 Plan Elements/Staff Analysis	
1	***Community Form: Goal 1, Policy 6.*** *Discourage non-residential expansion into existing residential areas unless applicant can demonstrate that any adverse impact on residential uses will be mitigated. Evaluation of impacts may include, but not be limited to, displacement of residents, loss of affordable housing units, traffic, parking, signs, lighting, noise, odor, and stormwater. Appropriate transitions from non-residential to residential uses should depend on the pattern of development of the Form District and may include natural vegetative buffers, landscaping or the use of higher density residential between lower density residential and/or non-residential.*
✓	**Staff Analysis: The proposal would generally not constitute an expansion into a residential area, and most residential properties previous to the site in the vicinity have been already been vacated and demolished. There should not be a significant displacement of residents or loss of affordable housing, if any. There may be concerns related to parking, traffic, lighting, noise, and stormwater related to the proposed zoning district, but such concerns could be mitigated when a specific proposal is identified. The proposed zoning district is compatible with the existing form district and area.**
2	***Community Form: Goal 1, Policy 7.*** *Locate higher density and intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where demand and adequate infrastructure exists or is planned.*
✓	**Staff Analysis: The proposed zone change will locate industrial uses in an area with several other industrial zones and uses. The proposal, served by Chamberlain Lane, a primary collector at this location, and Collins Road, a secondary collector at this location, are generally adequate to serve the proposed use at this location.**
3	***Community Form: Goal 1, Policy 8.*** *Encourage industries to locate in workplace Form Districts or in areas readily served by infrastructure and transportation facilities, including transit, rather than isolated industrial sites.*
✓	**Staff Analysis: The proposed rezoning will locate industrial uses within the Suburban Workplace form district in an area that is readily served by infrastructure or immediately adjacent to it. It will not be an isolated industrial site as there are other industrial uses and zones in the area.**
4	***Community Form: Goal 1, Policy 15.*** *When reviewing proposals for siting hazardous uses and uses with air, noise and light emissions, ensure disadvantaged populations are not disproportionally impacted.*
✓	**Staff Analysis: While the proposed zone and use may allow emissions related to air, noise, and light, staff notes the site is not located in an area with a significant amount of adjacent or nearby residential uses.**

Plan 2040 Plan Elements/Staff Analysis	
5	***Community Form: Goal 1, Policy 16.*** *Consider impacts on human health, quality of life and the environment including prevailing meteorological conditions and the potential to transport noxious odors, particulates and emissions when reviewing new developments and redevelopments. Special attention should be paid to air and water quality when residences, schools, parks or vulnerable populations will be impacted. Mitigate impacts to areas that are disproportionally affected.*
✓	**Staff Analysis: While the proposed zone may allow uses that have externalities related to odors, particulate, and emissions, the proposal itself does not appear to propose such negative externalities and is generally compatible with the surrounding area and adjacent sites.**
6	***Community Form: Goal 1, Policy 17.*** *Mitigate adverse impacts of traffic from proposed development on nearby existing communities.*
✓	**Staff Analysis: Transportation and Public Works have preliminarily approved the proposal. Binding elements have been proposed that mitigate the effect the proposal and proposed zone may have on the existing facilities.**
7	***Community Form: Goal 1, Policy 18.*** *Mitigate adverse impacts of noise from proposed development on existing communities.*
✓	**Staff Analysis: While the proposed zone could allow uses that generate noise impacts, staff notes there are is not a significant number of residential uses in the nearby vicinity and the proposal does not appear to be for a use that will provide nuisance in the form of noise pollution.**
8	***Community Form: Goal 1, Policy 21.*** *Require that industries which handle hazardous or flammable materials or are potentially offensive such as junkyards, landfills and quarries are sited to protect public health, safety and welfare and are located away from residential areas and population centers.*
✓	**Staff Analysis: While the proposal does not specify whether hazardous or flammable materials are part of this proposal, they are allowed in the PEC zone. However, junkyards and landfills are not allowed in the PEC, M-2, or C-1 zones, and the proposal is not in an area generally characterized as residential.**
9	***Community Form: Goal 2, Policy 1.*** *Locate activity centers in appropriate areas in all Form Districts. Design and density should be compatible with desired form, adjacent uses, and existing and planned infrastructure.*
✓	**Staff Analysis: The proposed commercial/industrial zoning district will be located adjacent to other commercial/industrial uses. There is existing infrastructure in direct proximity to serve the development. The proposed use and zone are complementary with the existing/proposed form district.**
10	***Community Form: Goal 2, Policy 5.*** *Locate retail commercial development in activity centers where it can be demonstrated that sufficient population exists or is anticipated to support it.*
✓	**Staff Analysis: The proposed zoning could not allow for traditional commercial uses. However, the properties area located in the Suburban Workplace form district and commercial development in these areas may not be suitable. The affected area would not be at the center of an activity center.**
11	***Community Form: Goal 2, Policy 6.*** *Encourage a more compact development pattern in activity centers that result in efficient land use and cost-effective infrastructure investment.*
✓	**Staff Analysis: While the proposed zone and use do not require a more compact development pattern, the proposal is consistent with uses in the surrounding vicinity and the location of such zone and uses constitute an efficient land use and cost-effective infrastructure environment.**
12	***Community Form: Goal 2, Policy 7.*** *Encourage activity centers to include a mixture of compatible land uses in order to reduce traffic congestion by requiring fewer trips, support and enhance alternative modes of travel, and encourage vitality and a sense of place.*
✓	**Staff Analysis: The proposed rezoning will be compatible with industrial uses in the area. Public Works has preliminarily approved the proposal and binding elements are proposed to ensure transportation compatibility.**

Plan 2040 Plan Elements/Staff Analysis	
13	***Community Form: Goal 2, Policy 8.*** *Encourage residential land uses in designated centers. Encourage residential and office uses above retail and other mixed-use multi-story retail buildings.*
N/A	**Staff Analysis: The proposed zoning district does not permit residential uses.**
14	***Community Form: Goal 2, Policy 9.*** *Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.*
✓	**Staff Analysis: Historic Preservation has preliminarily approved the proposal. Buildings are no longer present on the site.**
15	***Community Form: Goal 2, Policy 10.*** *Encourage outlot development in underutilized parking lots of existing development to promote utilization of existing infrastructure provided specific criteria for elements such as location, scale, signs, parking, lighting, and landscaping are met. Outlot development shall encourage street-level retail with residential units above.*
N/A	**Staff Analysis: The proposed development does not include any outlots or underutilized parking lots.**
16	***Community Form: Goal 3, Policy 9.*** *Encourage development that respects the natural features of the site through sensitive site design, avoids substantial changes to the topography, and minimizes property damage and environmental degradation resulting from disturbance of natural systems.*
✓	**Staff Analysis: Karst was examined and not found to have a significant presence on the site, and features will be mitigated throughout development. The local regulatory floodplain is on site, but buildings have not been proposed within it and MSD approval will be required prior to development.**
17	***Community Form: Goal 3, Policy 10.*** *Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation.*
✓	**Staff Analysis: Karst was examined and not found to have a significant presence on the site, and features will be mitigated throughout development. The local regulatory floodplain is on site, but buildings have not been proposed within it and MSD approval will be required prior to development.**
18	***Community Form: Goal 3, Policy 11.*** *Encourage land uses within the Ohio River Corridor that are appropriate for and related to river corridor activities and that are consistent with the goals and objectives of the Ohio River Corridor Master Plan. Reserve appropriate riverfront sites such as the Upper River Road industrial area for river-related development. Allow development of commercial leisure businesses related to the river, such as boating services and restaurants in appropriate locations. Encourage new development in the Ohio River corridor and along key greenway and street connections to provide for public access in new riverfront development and to maintain views of the river from public rights-of-way.*
N/A	**Staff Analysis: The subject site is not located within the Ohio River Corridor.**
19	***Community Form: Goal 3, Policy 12.*** *When reviewing proposed developments consider changes to flood-prone areas and other features vulnerable to natural disasters such as sinkholes and landslides. Ensure appropriate measures to protect health, safety and welfare of future users of the development.*
+/-	**Staff Analysis: The subject site is minimally located within the regulatory floodplain. This portion of the site should be considered appropriately in any potential development in accordance with MSD regulations.**
20	***Community Form: Goal 4, Policy 1.*** *Preserve buildings, sites, districts and landscapes that are recognized as having historic or architectural value and ensure that new land uses are compatible in height, massing, scale, architecture style and placement when located within the impact area of such resources.*
✓	**Staff Analysis: Historic Preservation has preliminarily approved the proposal. Existing buffers will be preserved to the extent practical, and substantial buffering is proposed between adjacent sites.**

Plan 2040 Plan Elements/Staff Analysis	
21	***Community Form: Goal 4, Policy 2.*** *Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.*
✓	**Staff Analysis: Historic Preservation has preliminarily approved the proposal.**
22	***Mobility: Goal 1, Policy 4.*** *Encourage higher densities and intensities within or near existing marketplace corridors, existing and future activity centers, and employment centers to support transit-oriented development and an efficient public transportation system.*
✓	**Staff Analysis: The proposed rezoning will locate higher intensity industrial next to other commercial/industrial uses. The subject site appears to be supported by adequate infrastructure at this location.**
23	***Mobility: Goal 3, Policy 2.*** *To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.*
✓	**Staff Analysis: The proposal shows sidewalks provided to the site.**
24	***Mobility: Goal 3, Policy 3.*** *Evaluate developments for their ability to promote public transit and pedestrian use. Encourage higher density mixed-use developments that reduce the need for multiple automobile trips as a means of achieving air quality standards and providing transportation and housing choices.*
✓	**Staff Analysis: Transportation Planning has preliminarily approved the proposal. The proposal shows sidewalks provided on site.**
25	***Mobility: Goal 3, Policy 4.*** *Encourage development of walkable centers to connect different modes of travel. Siting of these multi-modal centers shall consider the effects of the following:* ***4.1.*** *nodal connections identified by Move Louisville;* ***4.2.*** *impact on freight routes;* ***4.3.*** *time of operation of facilities;* ***4.4.*** *safety;* ***4.5.*** *appropriate linkages between neighborhoods and employment; and* ***4.6.*** *the potential for reducing travel times and vehicle miles traveled.*
✓	**Staff Analysis: Transportation Planning has preliminarily approved the proposal. The proposal shows sidewalks provided on site.**
26	***Mobility: Goal 3, Policy 5.*** *Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.*
✓	**Staff Analysis: Transportation Planning is reviewing the proposal. The proposal should demonstrate that sidewalks will be provided on site, or a fee-in-lieu provided.**
27	***Mobility: Goal 3, Policy 6.*** *Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.*
✓	**Staff Analysis: Transportation Planning has preliminarily approved the proposal. Binding elements have been proposed to ensure the proposal bears proportionality of cost for transportation facility improvements. The proposal demonstrates that sidewalks will be provided on site.**
28	***Mobility: Goal 3, Policy 9.*** *When existing transportation facilities and services are inadequate and public funds are not available to rectify the situation, the developer may be asked to make improvements, roughly proportional to the projected impact of the proposed development, to eliminate present inadequacies if such improvements would be the only means by which the development would be considered appropriate at the proposed location.*
✓	**Staff Analysis: Transportation Planning has preliminarily approved the proposal. Binding elements have been proposed to ensure the proposal bears proportionality of cost for transportation facility improvements. The proposal demonstrates that sidewalks will be provided on site.**

Plan 2040 Plan Elements/Staff Analysis	
29	***Mobility: Goal 3, Policy 10.*** *Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.*
✓	**Staff Analysis: Transportation Planning has preliminarily approved the proposal. Binding elements have been proposed to ensure the proposal bears proportionality of cost for transportation facility improvements.**
30	***Community Facilities: Goal 2, Policy 1.*** *Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.*
+/-	**Staff Analysis: Compliance will be required with all utility providers and MSD prior to issuance of permits.**
31	***Community Facilities: Goal 2, Policy 2.*** *Ensure that all development has an adequate supply of potable water and water for fire-fighting purposes. Locate only very low-density land uses on sites that use on-lot sewage disposal systems or on a private supply of potable water.*
✓	**Staff Analysis: Louisville Water has not provide any concerns regarding the proposal.**
32	***Community Facilities: Goal 2, Policy 3.*** *Ensure that all development has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams as determined by the Metropolitan Sewer District (MSD).*
+/-	**Staff Analysis: Compliance will be required with MSD prior to issuance of permits.**
33	***Economic Development: Goal 1, Policy 1.*** *Limit land uses in workplace Form Districts to compatible uses that meet the needs of the industrial subdivision or workplace district and their employees.*
✓	**Staff Analysis: The proposed rezoning would be located within the Suburban Workplace form district and compatible with the proposed zoning and use(s).**
34	***Economic Development: Goal 1, Policy 2.*** *Encourage industries, to the extent possible, to locate in industrial subdivisions or adjacent to an existing industry to take advantage of special infrastructure needs.*
✓	**Staff Analysis: The proposed rezoning will locate industrial uses adjacent to existing industry and will be adequately served by existing infrastructure.**
35	***Economic Development: Goal 1, Policy 3.*** *Locate commercial uses generating high volumes of traffic on a major arterial street, at the intersection of two minor arterials, or at a location with adequate access to a major arterial and at locations where nuisances and activities of the proposed use will not adversely affect adjacent areas.*
✓	**Staff Analysis: The proposal is located along two collectors and adjacent to like development on this site, and the proposal does not indicate the proposed uses will be nuisances or adversely affect adjacent areas. The proposed zoning supports the proposed industrial development of the site. Binding elements have been proposed to ensure compatibility with transportation standards.**
36	***Economic Development: Goal 1, Policy 4.*** *Utilize industrial sites near the airport and the Ohio River to support the growth and development of uses whose infrastructure and production needs require such a location or for land uses that support airport-oriented or river-oriented industrial uses.*
N/A	**Staff Analysis: The subject site is not located along the Ohio River nor in proximity to the airport.**
37	***Economic Development: Goal 1, Policy 5.*** *Require industrial developments to locate with the appropriate transportation connectivity, near an arterial street or within existing industrial subdivisions.*
✓	**Staff Analysis: Transportation Planning has preliminarily approved the proposal. The subject site is located in an area with other industrial uses and will not be an isolated industrial use. The proposal is located along Chamberlain Lane, a primary collector at this location, and Collins Road, a secondary collector at this location.**

Plan 2040 Plan Elements/Staff Analysis	
38	***Livability: Goal 1, Policy 17.*** *Determine site susceptibility to erosion; identify the presence of on-site carbonate conditions and features that are vulnerable to site disturbance; identify the extent of existing groundwater use and the impacts of the project on groundwater resources, flow patterns, and existing and proposed surface drainage. Then mitigate potential hazards to such systems resulting from the project.*
✓	**Staff Analysis: There is an area of local jurisdictional floodplain on a minimal portion of the site, though buildings are not proposed in that area. Karst features, if any, will be mitigated properly on site. The proposal generally proposes sensitive design related to environmental features.**
39	***Livability: Goal 1, Policy 21.*** *Mitigate negative development impacts to the integrity of the regulatory floodplain by encouraging development patterns that minimize disturbance and consider the increased risk of more frequent flooding events.*
✓	**Staff Analysis: There is an area of local jurisdictional floodplain on a minimal portion of the site, though buildings are not proposed in that area. Karst features, if any, will be mitigated properly on site. The proposal generally proposes sensitive design related to environmental features.**
40	***Livability: Goal 1, Policy 24.*** *Ensure, to the extent feasible, that critical facilities and those that store or use hazardous wastes are located outside the regulatory floodplain. Where essential community facilities must be located within a floodplain (e.g., pumping stations), ensure that these facilities are designed, located and operated in a manner that minimizes loss of services during flood events as well as limits, to the extent possible, floodplain disturbance.*
✓	**Staff Analysis: There is an area of local jurisdictional floodplain on a minimal portion of the site, though buildings are not proposed in that area. Karst features, if any, will be mitigated properly on site. The proposal generally proposes sensitive design related to environmental features.**
41	***Housing: Goal 1, Policy 2.*** *Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.*
NA	**Staff Analysis: The proposed rezoning would not allow for residential uses.**
42	***Housing: Goal 2, Policy 1.*** *Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.*
NA	**Staff Analysis: The proposed rezoning would not allow for residential uses.**
43	***Housing: Goal 2, Policy 2.*** *Locate housing within proximity to multi-modal transportation corridors providing safe and convenient access to employment opportunities, as well as within proximity to amenities providing neighborhood goods and services. Higher density, accessible residential uses should be located along transit corridors and in or near activity centers.*
NA	**Staff Analysis: The proposed rezoning would not allow for residential uses.**
44	***Housing: Goal 3, Policy 2.*** *As neighborhoods evolve, discourage displacement of existing residents from their community.*
✓	**Staff Analysis: There will likely be minimal, if any, any displacement of existing residents from their community.**
45	***Housing: Goal 3, Policy 3.*** *Encourage the use of innovative methods such as clustering, mixed-use developments, co-housing, and accessory apartments to increase the production of fair and affordable housing.*
NA	**Staff Analysis: The proposed rezoning does not allow for residential uses.**

4. Existing Binding Elements

23-ZONE-0098

1. ~~The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.~~

2. ~~Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.~~

3. ~~Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is requested:~~

    a. ~~The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.~~
    b. ~~The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.~~
    c. ~~A minor plat or legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services prior to obtaining a building permit.~~
    d. ~~A road closure approval for N Winchester Acres Rd shall be approved and recorded prior to requesting a building permit. All easements required by affected utility agencies shall be recorded prior to requesting a building permit.~~
    e. ~~A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.~~

4. ~~A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.~~

5. ~~The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.~~

6. No idling of trucks shall take place within 200 feet of single-family residences. No overnight idling of trucks shall be permitted on-site.

7. Prior to requesting a permit for demolition or ground disturbance on the subject site, an Individual Historic Resource Survey Form (available from the Kentucky Heritage Council, the State Preservation Office) shall be completed by a Secretary of the Interior-qualified professional for each building proposed for demolition. The form includes photographs of all elevations and significant architectural features. All forms shall be provided to Planning and Design Services' Urban Design/Historic Preservation staff.

8. All maneuvering and parking areas shall be paved with asphalt or asphalt millings.

9. Restroom facilities and trash receptacles shall be provided on-site.

#09-006-04

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.

2. The residential character of the structure shall be maintained. Changes to the following items shall not be made without prior approval of the Planning Commission's designee:

    a. roof line
    b. building material
    c. windows

3. Use of the subject site shall be limited to office. There shall be no other use of the property unless prior approval is obtained from the Planning Commission/LD&T Committee. Notice of a request to amend this binding element shall be given in accordance with the Planning Commission's policies and procedures. The Planning Commission/LD&T Committee may require a public hearing on the request to amend this binding element.

4. The development shall not exceed 2,587 square feet of gross floor area of office space.

5. Signs shall be in accordance with Chapter 8 of the Land Development Code. Signature entrance shall be removed from the right-of-way unless a license agreement is obtained from the Public Works department. There shall be no signage on the signature entrance wall.

6. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.

7. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath

~~the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.~~

8. ~~Before any permit, including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is requested:~~

   a) ~~The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses (617 W. Jefferson Street), Louisville Metro Public Works, and the Metropolitan Sewer District (700 West Liberty).~~

   b) ~~The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a site disturbance permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.~~

   c) ~~A Tree Preservation Plan in accordance with Chapter 10 of the LDC shall be reviewed and approved prior to obtaining approval for site disturbance.~~

9. ~~If a certificate of occupancy I parking construction permit is not issued within one year of the date of approval of the plan or rezoning, whichever is later, the property shall not be used in any manner unless a revised district development plan is approved or an extension is granted by the Planning Commission.~~

10. ~~A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.~~

11. ~~The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.~~

12. ~~The property owner shall provide a cross over access easement if the properties to the west are ever developed for a nonresidential use, in which event the cross-over access, if then required by the Planning Commission or Metro Works, shall be constructed at the adjoining property owner's sole cost and expense on this property. A copy of the signed easement agreement shall be provided to Planning Commission staff upon request.~~

13. ~~The applicant shall provide documentation showing that the development complies with all the regulations from Chapter 4, Part 7, Section 3, Lighting, prior to the issuance of a construction permit. These regulations include the following items: Mounting Height Limit, Luminaire Shielding Canopy Lighting Level and Light Trespass.~~

14. The site shall be developed in accordance with the tree preservation areas delineated on the site plan and related notes. Any modification of the tree preservation plan requested by the applicant may be approved by the designated DPDS staff if the changes are in keeping with the intent of the approved tree preservation plan. All plans setting out tree preservation areas must contain the following notes:

    1. Tree preservation areas (TPAs) identified on this plan represent portions of the site the developer has designated to be left undisturbed during the development of roadways, utilities and similar infrastructure. These are not permanent preservation areas. Tree in these areas may be removed during construction of homes or buildings on individual lots.

    2. Dimension lines have been used on this plan to establish the general location of TPAs and represent minimum distances. The final boundary for each TPA shall be established in the field by the applicant, developer, or property owner to include canopy area of all trees at or within the dimension line.

    3. Tree protection fencing shall be erected around all TPAs prior to site disturbance (except as provided in these notes) to protect the existing tree stands and their root systems. The fencing shall be located at least 3 feet beyond the edge of the tree canopy and shall remain in place until all construction is completed. When trees must be removed in a TPA, the fence shall be relocated to protect all remaining trees within that TPA. When a tree mass contains both WPAs and TPAs, fencing shall only be required at the outer most perimeter of that tree mass.

    4. No parking, material storage, or construction activities are permitted within the TPAs beyond that allowed for preliminary site investigation work.

    5. Clearing necessary to provide access for survey work, rock soundings or other usual and customary site investigations shall be permitted prior to Site Disturbance Approval. Preliminary site investigations shall be carefully planned to minimize the amount of clearing required. Clearing should follow proposed roadway centerlines and should not result in a clear access way of more than twenty (20) feet in width. Cleared access ways beyond proposed roadways to assess individual lots shall not exceed 12 feet in width or encroach into any proposed open space lots. No trees exceeding eight (8) inches in diameter measured at a height of four and one-half feet above ground level shall be removed without prior approval by DPDS.

5. Proposed Binding Elements

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee (and to the City of Lyndon, St. Matthews, Hurstbourne, or Middletown etc) for review and approval; any changes/additions/alterations not so referred shall not be valid.

2. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.

3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is issued:

    a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
    b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
    c. A minor plat or legal instrument shall be recorded consolidating the property into one lot. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of the approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.

4. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.

5. A left-turn on Collins Lane into the facility as specified by the Traffic Impact Study will be required prior to issuance of permits, as well as any improvements otherwise required by and coordinated with Public Works and the Kentucky Transportation Cabinet.

6. Prior to the issuance of permits, the right-of-way for Mermaid Lane (26-STRCLOSURE-0017) must be closed in a manner approved by Plan Commission and Metro Council.

7. Tree canopy must be either provided on site or provided in a way that is satisfied in a way that satisfies the off-site planting requirements of Land Development Code Section 10.1.3.A.3.